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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT TACOMA

9 HERBERT D. EASH, III,

10 Plaintiff,

11 v.

12 MICHAEL J. ASTRUE, Commissioner of  
13 Social Security,

14 Defendant.

CASE NO. C08-5583RBL

ORDER

15 The Court, having reviewed plaintiff's complaint, the Report and Recommendation of  
16 Judge J. Richard Creatura, United States Magistrate Judge, objections to the report and  
17 recommendation [Dkt. #19], defendant's response thereto [Dkt. #20], and the remaining  
18 record, does hereby find and ORDER:  
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- 20 (1) The Court adopts the Report and Recommendation;  
21 (2) The administrative decision is AFFIRMED; and  
22 (3) The Clerk is directed to send copies of this Order to counsel of record.

23 DATED this 13<sup>th</sup> day of July, 2009.  
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26 RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE